

ALAMEDA COUNTY SUPERIOR COURT
APPLICATION FOR APPOINTMENT TO ADR PANELS
including Judicial Arbitration, Mediation, Neutral Evaluation, and Private Arbitration

1. APPLICANT:

Applicant's Name: William J. Petzel
Firm Name: Law Offices of William J. Petzel
Address: 1970 Broadway, Suite 1200
City/State/Zip: Oakland, CA 94612
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Email: WMPETZL@AOL.COM

2. PANEL REQUEST: *(All applicants are requested to serve as Judicial Arbitrators)*

Check each panel for which you are applying:

X Judicial Arbitration X Mediation X Neutral Evaluation X Private Arbitration

3. EDUCATION:

<u>Dates (from-to)</u>	<u>College/University/Law School</u>	<u>Degree Obtained</u>
<u>9-72 to 6-75</u>	<u>Golden Gate Law School</u>	<u>J.D.</u>
<u>1968 to 1969</u>	<u>San Francisco State</u>	<u>B.A. Anthropology</u>
<u>1961 to 1966</u>	<u>University of Illinois</u>	

4. LEGAL EXPERIENCE: **State Bar No.** 67129 **Date Admitted:** 12-18-75

A. Are you a member in good standing of the State Bar of California? X Yes No

B. Are you a retired judicial officer? Yes X No

Please describe when/where you last served as a judicial officer:

C. Are you actively engaged in the practice of law at this time? X Yes No

If not, are you retired from practice? Date retired:

If your license is presently inactive, please explain:

D. Are you currently active in litigation practice? X Yes No

Approximately what percentage of your practice involves litigation? 25 %

E. If your practice includes personal injury litigation, approximately what percentage of your practice involves the representation of: plaintiffs 90 % ; of defendants 10 % ?

F. How many of the following have you personally handled as attorney of record in the past five years? Jury Trials 2 ; Court Trials 5 ; Mediations 20 ; Arbitrations 100 ;

G. Describe any legal publications or teaching you have done: Executive Editor of 1998/99 State Bar Mentor Directory

5. ADR TRAINING and EXPERIENCE

Course Title	Sponsoring Organization	Hours of Credit	Dates
Mediation 1 through 10	State Bar	30	1997 to 1999

- A. Number of years experience as: mediator 5+; arbitrator 15+; neutral evaluator ____;
- B. List all other court-connected ADR panels of which you are a member, specifying the processes for which you have qualified: Alameda and Contra Costa County ADR Panels

- C. State the name(s) of any organization(s) through which you have provided ADR services during the past five years, giving the dates and the services you provided: Alameda County Bar Association ADR & Fee Arbitration Panel; Contra Costa County Bar Association ADR & Fee Arbitration Panel; NASD Arbitration

- D. Describe the subject matter of five disputes in which you served as the ADR provider in the past 5 years, including the dates of service, the process and if you were sole or co-provider.
1. 2-3-03 Mediation Sole Mediator - Probate;
 2. 2-4-03 Mediation Sole Mediator - Auto Accident;
 3. 2-6-03 Fee Arbitration Sole Arbitrator;
 4. 3-17-03 Mediation Sole Mediator - Auto Accident;
 5. 1-13-03 to 1-16-03 Arbitration Chair of 3-member panel, NASD Arbitration;

- E. Is your ADR style best described as 50% facilitative or 50% evaluative/directive?

- F. Describe any ADR related publications or training you have done: none

- G. Set forth your hourly fee or fee schedule, including any sliding scale or pro bono provisions.

Attach a copy of your fee agreement. (Please note: Judicial arbitrators waive compensation for the first three (3) hours of hearing time in Alameda County and all ADR panelists are requested to accept at least three (3) Judicial arbitration cases per year).

\$250.00 per hour. Four (4) hour minimum. First hour of preparation, prehearing conferences and actual mediation free if under auspices of Alameda County Bar Association ADR Panel.

6. AVAILABILITY/SPECIAL REQUIREMENTS

- A. List any languages, other than English, in which you are able to conduct ADR proceedings:

None

- B. Please state any special bi-cultural/multi-cultural capabilities or familiarity you possess:

None

- C. You are available to conduct ADR conferences: X in your office; X at counsel's office; ____ other (please describe: _____)

- D. You are available to conduct ADR proceedings: X during regular office hours; X evenings by appointment; ____ weekends by prior arrangement;

- E. Please describe any requirements you have for ADR participants such as submission of copies of pleadings, briefs, declarations in lieu of testimony, etc.: Prefer briefs in hand 3 days prior to arbitration/mediation.

7. SUBJECT MATTER DESIGNATION

Please check each area below in which you are qualified by training/experience to provide ADR services, indicating the percentage it represents of your law practice, if any, and the ADR process(es) which you are prepared to offer in that area:

Case Type Accepted	% of Practice	Judicial Arb.	Mediation	Neutral Eval.	Private Arb.
Bankruptcy	1%	X	X	X	X
Business/Corp.	15%	X	X	X	X
Civil Rights		X	X	X	X
Collections	1%	X	X	X	X
Construction		X	X	X	X
Contracts	5%	X	X	X	X
Elder law/abuse		X	X	X	X
Employment	15%	X	X	X	X
-Discrimination	2%	X	X	X	X
-Harassment	2%	X	X	X	X
-Termination	11%	X	X	X	X
Environmental		X	X	X	X
Fraud		X	X	X	X
False Imprison.		X	X	X	X
Family Law					
HO Ass'n		X	X	X	X
Insurance Cov.	5%	X	X	X	X
Intellect. Property		X	X	X	X
Landlord-Tenant	5%	X	X	X	X
Legal Malpractice	1%	X	X	X	X
Maritime					
Med Malpractice					
Partnership	1%	X	X	X	X
P.I. – Auto	20%	X	X	X	X
P.I. – Other	5%	X	X	X	X
Premises Liability	5%	X	X	X	X
Probate/Trust	15%	X	X	X	X
Product Liab.	1%	X	X	X	X
Real Property	3%	X	X	X	X
Securities	1%	X	X	X	X
Tax		X	X	X	X
Toxic Torts		X	X	X	X
Wrongful Death		X	X	X	X
Other:					
-Corporations		X	X	X	X
-Profit & Not for Profit		X	X	X	X

MEDIATION FEE AGREEMENT

THIS AGREEMENT is between us regarding the mediation that is scheduled for _____. Although I am attorney, I will not act as an advocate for either party. This means that I will not be trying to protect the legal rights of either party against the other during the mediation process.

I may be called upon to answer questions about law during the mediation. To the extent that it plays a role in the mediation, the law in the context of our discussions will be used to assist the parties in arriving at what the parties believe to be fair. My role as a legal educator should be minimal since it is my understanding that each party will be represented by counsel before and during the mediation. You may also wish to consult with others who might be helpful in providing technical information.

The mediation process is entirely voluntary and either party may choose to terminate it at any time.

The fee for mediation is One Hundred Twenty-Five Dollars (\$125.00) per hour, per party, with a minimum of four (4) hours. The fee for the four (4) hour mediation is Five Hundred Dollars (\$500.00) per party, and is required to be presented prior to the start of the mediation. Additional time will be paid for by the parties within one (1) week of receipt of the bill. Plaintiff's attorney accepts responsibility for payment of plaintiff's share of the fee and defendant's attorney accepts responsibility for payment of defendant's share of the fee. Venue in any fee dispute will be Oakland Small Claims Court unless the amount sought is above Five thousand Dollars (\$5,000.00) and then it will be Alameda County Superior Court.

Please review this Agreement carefully and return it with your checks as soon as possible to secure your mediation time and date. If you have any questions concerning any of the contents of this Agreement, please call me immediately. The mediation will not begin without full payment from all parties unless prior alternative arrangements have been made. Cancellation less than three (3) business days requires payment for the time reserved.

AGREED:

William J. Petzel, Mediator

Attorney for Defendant

Attorney for Plaintiff